

# Montana State Legislature

**2015 SESSION**

## **ADDITIONAL DOCUMENTS**

**May include the following:**

**Business Page**

**[Signed by Chairman]**

**Roll Call**

**Standing Committee Reports**

**Tabled Bills**

**Fiscal Reports**

**Rolls Call Votes**

**Proxy Forms**

**Visitor Registrations**

**\*Any other documents, which were submitted after the committee hearing has ended and/or was submitted late [within 48 hours], regarding information in the committee hearing.**

**\*Witness Statements that were not presented as exhibits.**

**Montana Historical Society Archives**

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**2015 Legislative**

**E-Document Specialist Susie Hamilton**

**BUSINESS REPORT**

**MONTANA SENATE  
64th LEGISLATURE - REGULAR SESSION**

**SENATE AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE**

**Date:** Tuesday, March 17, 2015  
**Place:** Capitol

**Time:** 3:00 PM  
**Room:** 335

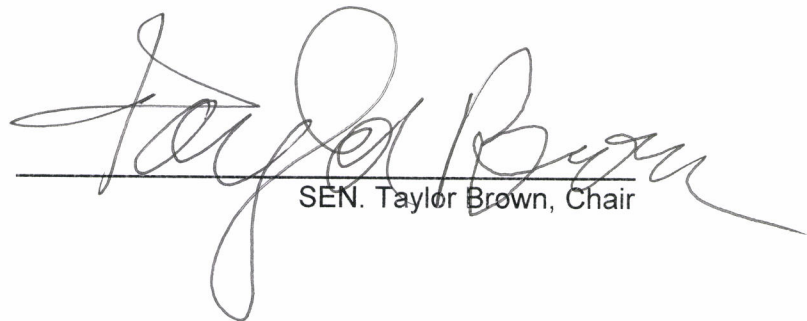
**BILLS and RESOLUTIONS HEARD:**

HB 439 - Require recording of board of livestock meetings - Rep. Alan Redfield  
HB 557 - Revise laws regarding legal fences - Rep. Bill Harris  
SR 3 - Confirm Governor's appointments related to agriculture - Sen. Taylor Brown

**EXECUTIVE ACTION TAKEN:**

SR 3 - Be Adopted as Amended

**Comments:**



SEN. Taylor Brown, Chair

**MONTANA SENATE**  
***Roll Call***  
**AGRICULTURE, LIVESTOCK, AND IRRIGATION**

DATE: March 17<sup>th</sup> 2015

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SEN. BRIAN HOVEN, VICE CHAIR	X	
SEN. SHARON STEWART-PEREGOY		X
SEN. KRISTIN HANSEN	X	
SEN. JILL COHENOUR	X	
SEN. NELS SWANDAL	X	
SEN. JP POMNICHOWSKI	X	
SEN. MARY CAFERRO	X	
SEN. DAVID HOWARD	X	
SEN. CYNTHIA WOLKEN	X	
SEN. ERIC MOORE	X	
SEN. TAYLOR BROWN, CHAIR	X	





## SENATE STANDING COMMITTEE REPORT

March 17, 2015

Page 1 of 2

Madame President:

We, your committee on Agriculture, Livestock and Irrigation report that Senate Resolution 3 (first reading copy -- white) be adopted as amended.

Signed: \_\_\_\_\_

*Senator Taylor Brown, Chair*

**And, that such amendments read:**

1. Title, page 1, line 6.

**Strike:** "COMMUNICATIONS"

**Insert:** "COMMUNICATION"

**Following:** "DATED"

**Strike:** remainder of line 6

2. Page 1, line 9 through page 2, line 4.

**Strike:** everything after the title

**Insert:** "WHEREAS, the Governor of the State of Montana has made the appointments, below designated, that have been submitted to the Senate by the Governor pursuant to section 5-5-302, MCA:

(1) As a member of the Board of Hail Insurance, in accordance with section 2-15-3003, MCA:

Gary Gollehon, Brady, Montana, appointed to a term ending May 1, 2017.

(2) As members of the Livestock Loss Board, in accordance with section 2-15-3110, MCA:

Elaine Allestad, Big Timber, Montana, appointed to a term ending January 1, 2019.

James Cross, Kalispell, Montana, appointed to a term ending January 1, 2017.

Larry Trexler, Hamilton, Montana, appointed to a term ending January 1, 2019.

Seth Wilson, Missoula, Montana, appointed to a term ending January 1, 2017.

(3) As members of the Board of Milk Control, in accordance

**Committee Vote:**

**Yes 11, No 0**

Fiscal Note Required ☐



with section 2-15-3105, MCA:

James Parker, Fairfield, Montana, appointed to a term ending January 1, 2017.

Erik Somerfeld, Power, Montana, appointed to a term ending January 1, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF MONTANA:

That the Senate of the Regular Session of the 64th Legislature of the State of Montana does hereby concur in, confirm, and consent to the above appointments and that the Secretary of the Senate immediately deliver a copy of this resolution to the Secretary of State and to the Governor pursuant to section 5-5-303, MCA."

- END -



**SENATE AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE**

Sponsor: **Rep. Bill Harris**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**



## SENATE AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE

Sponsor: **Sen. Taylor Brown**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

OFFICE OF THE GOVERNOR  
STATE OF MONTANA

STEVE BULLOCK  
GOVERNOR



ANGELA McLEAN  
LT. GOVERNOR

## 2013-2015 Interim Appointments

### *Boards, Councils and Commissions*

#### **Board of Milk Control**

James Parker  
Erik Somerfeld

*Included: Statute for Appointment*

*Biographies, Resumes or other Application Materials for  
interim appointees*

## Montana Code Annotated 2014

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**2-15-3105. Board of milk control -- membership -- allocation -- quasi-judicial.** (1) There is a board of milk control.

(2) The board consists of five members. A member may not be connected in any way with the production, processing, distribution, or wholesale or retail sale of milk or dairy products. A member may not have held an elective or appointive public office during the 2 years immediately preceding appointment, and a member may not hold a public office, either elective or appointive, during a term on the board. Not more than three members may be of the same political party.

(3) The board is allocated to the department of livestock for administrative purposes only as prescribed in 2-15-121.

(4) The board is designated as a quasi-judicial board for purposes of 2-15-124.

**History:** En. 82A-406 by Sec. 1, Ch. 272, L. 1971; amd. Sec. 143, Ch. 431, L. 1975; R.C.M. 1947, 82A-406; amd. Sec. 2, Ch. 52, L. 1993; amd. Sec. 1, Ch. 333, L. 1995; Sec. 2-15-1802, MCA 1993; reds. 2-15-3105, Sec. 9, Ch. 333, L. 1995.

*Provided by Montana Legislative Services*



Resume' of: R. James "Jim" Parker

248 County Line Road

Fairfield, Montana 59436

Email: jsparker248clr@3rivers.net

Telephone: (406)467.3505

Mobile: (847)922.1910

I was born in Great Falls, MT and raised on a diversified irrigated dairy and potato farm in the Sun River valley. My parents instilled in me and my four siblings strong work and moral ethic values with concern for our fellow man. While growing up I was active in various youth organizations – 4-H, Boy Scouts, FFA and Farmers Union. I was very active in High School at Simms and was the Football Captain and FFA Chapter President both my Junior and Senior years.

After high school I attended both Montana State University and Northern Montana College for a year after which I was drafted into the Army. In the Army I graduated from Armor Officer Candidate School and Organizational Maintenance Officer School in Fort Knox, Kentucky. I was then stationed in Fort Hood Texas for most if a year after which I was in Vietnam as an Infantry Platoon Leader, Recon Platoon Leader, Company Executive Officer, along with other duties. I received three Army Commendation Medals for Valor and two Bronze Stars one for Valor and one for Meritorious Service.

When I returned from Viet Nam, I attended Northern for another year majoring in education followed by Montana State from which I graduated with a B.S. in Agricultural Education. I then returned to our family farm in Sun River where we built a state of the art dairy with over 300 milking cows in 1972. We were too big and too small so I went back to MSU in 1974 to be Dairy Herdsman and manage the dairy and beef farms. During this same time I studied for and received a M.S. in Animal Science. In 1978 I was selected to be an Extension Dairy Specialist with the University of Idaho located in Pocatello, Idaho. In 1981 I left the University of Idaho to work for Westfalia, the number two manufacturer of farm milking equipment in the world. In 1999 Westfalia and Babson Bros. merged to form Westfalia/Surge which is now GEA Farm Technologies.

While with Westfalia, through several expansions and name changes, I was successful in many roles. I was Product Manager for all automated and electronic milking and feeding equipment for dairy farms, working closely with engineers in the design and development of innovative milking equipment. This included ensuring that all milking equipment conformed to 3-A standards and passed US Public Health requirements. Equipment also had to meet stringent DHIA and ICAR performance testing. I was North American Training manager responsible for organizing all in-house and field training of the complete product line to company technical and sales personnel and some 200 plus dealer sales, installation and service personnel. I was Assistant General Manager, Marketing Manager, Sales Manager, and Industry Relations Manager.

# Erik Somerfeld

301 Cascade Ave | Power, MT 59468 | 406-463-2234, cell 406-788-3348 | [eriksomer@3rivers.net](mailto:eriksomer@3rivers.net)

## Education

- Montana College of Mineral Science and Technology
- BA 1993
- Engineering Science

## Work Experience

1993 to Present

**Farmer/Rancher, Power MT**

Farming and ranching on a 3rd generation family operation with father.

## Board Experience

- Montana Farmers Union 2002-present
- Montana Farmers Union State Secretary/Treasurer 2011-present
- Montana Beef Council 2006-2014
- Montana Board of Research and Commercialization Technology 2009-2012
- Power Volunteer Fire Department Chief 2001-present
- Teton County Fire Council 1996-present

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2013-2015 Interim Appointments

*Boards, Councils and Commissions*

**Livestock Loss Board**

Elaine Allestad

James Cross

Larry Trexler

Seth Wilson

*Included: Statute for Appointment*

*Biographies, Resumes or other Application Materials for  
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## Montana Code Annotated 2014

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**2-15-3110. Livestock loss board -- purpose, membership, and qualifications.** (1) There is a livestock loss board. The purpose of the board is to administer the programs called for in the Montana gray wolf and grizzly bear management plans and established in 2-15-3111 through 2-15-3113, with funds provided through the accounts established in 81-1-110, in order to minimize losses caused by wolves and grizzly bears to livestock producers and to reimburse livestock producers for livestock losses from wolf and grizzly bear predation.

(2) The board consists of five members, appointed by the governor, as follows:

(a) three members who are actively involved in the livestock industry and who have knowledge and experience with regard to wildlife impacts or management; and

(b) two members of the general public who are or have been actively involved in wildlife conservation or wildlife management and who have knowledge and experience with regard to livestock production or management.

(3) The board is designated as a quasi-judicial board for the purposes of 2-15-124.

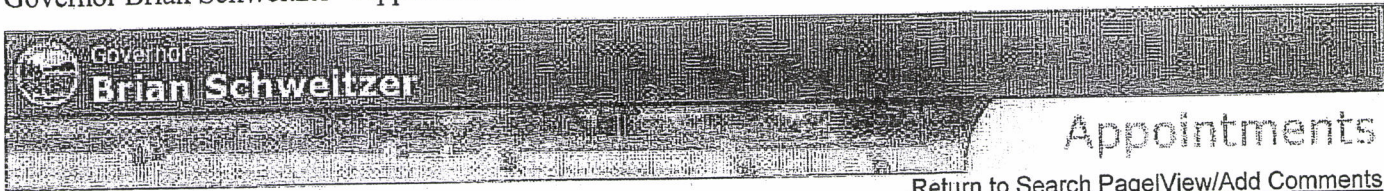
Notwithstanding the provisions of 2-15-124(1), the governor is not required to appoint an attorney to serve as a member of the board.

(4) The board is allocated to the department of livestock for administrative purposes only as provided in 2-15-121.

(5) The board shall adopt rules to implement the provisions of 2-15-3110 through 2-15-3114 and 81-1-110 through 81-1-112.

**History:** En. Sec. 1, Ch. 261, L. 2007; amd. Sec. 1, Ch. 229, L. 2011; amd. Sec. 3, Ch. 339, L. 2011; amd. Sec. 1, Ch. 172, L. 2013; amd. Sec. 3, Ch. 235, L. 2013; amd. Sec. 1, Ch. 369, L. 2013.

*Provided by Montana Legislative Services*



[milia110042119043c4c01.TermsAndConditions.html](https://app.mt.gov/cgi-bin/governor/admin/govadmin.cgi) <sup>not board</sup> <sub>terms link to AMEX</sub>

### Appointee Application

If you are interested in being considered to serve on a board or commission please complete this form.

#### Board or Commission Information

Livestock Loss Reduction Mitigation Board

#### Contact Information

Salutation:

First Name:

Elaine K

Address 1:

PO Box 679

City:

Big Timber

Zip:

59011

Work Phone Number (ex.: xxx-xxx-xxxx):

Best time to call:

Evenings

Last Name:

Allestad

Address 2:

48 Meadowlark Circle

State:

MT

Contact Phone Number (ex.: xxx-xxx-xxxx):

406-932-5822

Cell Phone Number (ex.: xxx-xxx-xxxx):

406-930-1731

Email:

allestadrnch@mtintouch.net

#### Workplace Information

Your Occupation:

Rancher

Address 1:

PO Box 679

City:

Big Timber

Zip:

59011

Secondary Phone:

406-930-1731

Email:

allestadrnch@mtintouch.net

Current Employer:

Self employed

Address 2:

48 Meadowlark Circle

State:

MT

Primary Phone:

406-932-5822

Fax:

#### Education and/or Training

Most Recent:

School or Organization :

Year Earned:

Honors/Awards:

Degree or Certificate Earned:

Major Studies:

**License and Qualifications**

**License/Qualifications:**

I am now the Chairperson of the LLRMB. I have been on the Committee that developed the Montana Wolf Management Plan and then on the sub-committee that developed the LLRMB Plan.

**Memberships in Organizations or Public Office held**

Organization or Public Office:

**Sweet Grass County**

Position held:

**Commissioner**

Organization or Public Office:

**Montana Board of Crime Control**

Position held:

**Member**

Organization or Public Office:

**Montana Fish Wildlife and Parks**

Position held:

**Commissioner**

**Personal/Professional References**

First Name:

**John**

Last Name:

**Esp**

Address:

**PO Box**

City:

**Big Timber**

State / Zip:

**MT 59011**

Relationship:

**Friend**

Contact Phone:

**606-932-5662**

First Name:

**Ron**

Last Name:

**Asheim**

Address:

**1420 E 6th Ave.**

City:

**Helena**

State / Zip:

**MT 59620**

Relationship:

**Friend**

Contact Phone:

**406-444-4038**

First Name:

Last Name:

Address:

City:

State / Zip:

Relationship:

Contact Phone:

**Disclaimer**

Disclaimer Agree: Y



## RESUME

For

H. James Cross

618 Leisure Drive

Kalispell, MT 59901-7564

Born: November 21, 1935

Military: U.S. Army, 1956-1962, Honorably Discharged

College: West Virginia University, Morgantown, W.VA., Bachelor Of Science in Forestry, 1963

University of Montana, Missoula, MT., Master of Science in Wildlife Management, 1965

### Employment:

State of Montana, Department of Fish, Wildlife & Parks, 1965-1994. I was a field biologist in wildlife and wildlife habitat management in the Bitter Root Valley, Blackfoot-Clark Fork area and in Flathead-Kootenai-Lower Clark Fork areas. I was a Regional Wildlife Program manager in the Kalispell Office for 10 years with responsibilities for wildlife management, research, mitigation for Bonneville Power Administration hydro-power generation in Northwestern Montana, and FWP land management and development.

I have significant practical experience in forest management-wildlife habitat relationships throughout Western Montana and in upland wildlife-waterfowl management and habitat development in Northwestern Montana. Through Inter-agency Personnel Agreements, I helped Lolo and Flathead National Forests develop their respective forest-wildlife habitat management direction, guidance and monitoring strategies for their original forest plans. I participated with a panel of experts in identifying seasonally important habitats for elk in the Montana Elk Logging Studies. I provided advocacy review and comment to private, State, and Federal land management agencies in a variety of forested habitats. I was involved in the establishment and initial development of the joint State-Tribal management agreement for wildlife and fisheries management concerns relative to the Flathead Indian Reservation. I have participated in interagency efforts with U.S. Fish & Wildlife Service, University of Montana, The Nature Conservancy, The Montana Land Reliance, and the Flathead Land Trust to identify and protect unique wetland habitats in the Flathead Valley. I have been directly involved in wetland management, wetland development and wetland protection in the upper and lower Flathead Valleys. I have developed and conducted public involvement programs for wildlife management purposes, for land acquisition and management purposes, for special permit projects on private lands where FWP had wildlife management responsibilities.

Dec. 30, 2014

To whom it may concern,

My name is Larry Trexler. I have lived in Western Montana all of my life. I am a Rancher raising registered Black Angus cattle in Ravalli County. I have been involved in many agriculture organizations over the years. I have been on the Livestock Loss Board since this committee was started. I enjoy being on this board and would appreciate your confirmation for another term.

Sincerely,

Larry Trexler

## **Seth M. Wilson**

Seth Wilson is a Visiting Fellow at Yale University - School of Forestry and Environmental Studies. He is also a Field Director for the NGO, People and Carnivores (a project of the Northern Rockies Conservation Cooperative) and Wildlife Coordinator for the NGO, the Blackfoot Challenge. He is a Team Member of the IUCN Human-Bear Conflict Specialist Group and member of the Yale Large Carnivore Group.

He holds a B.A. in Environmental Studies and Government from St. Lawrence University, a Master's Degree in Science from the Environmental Studies Program and a Ph.D. from the College of Forestry and Conservation at the University of Montana.

His research and applied conservation efforts focuses on large-carnivore conservation, policy, human-wildlife conflict, geo-spatial models, landscape-scale conservation, and conservation planning on private lands. He is currently working on a multi-year research project involving a community-supported conservation plan to reduce human-grizzly bear and wolf-livestock conflicts on private agricultural lands in the Western United States. His work in the Blackfoot Valley, Montana is an emerging and promising example of a community-based conservation effort involving a threatened species.

## **Relevant Professional Experience**

**Research Fellow**, Yale School of Forestry and Environmental Studies, 2003-present

**Research Associate**, Northern Rockies Conservation Cooperative, Jackson, WY, 2003-present

**Program Coordinator**, Wildlife Committee - Blackfoot Challenge, Ovando, MT, 2003-present

**Research Assistant**, Bolle Center for People and Forests - University of Montana, 1997-2003

**Vice-President**, Montana Student Chapter of the Society for Conservation Biology 2000-2002

## **Select - Recent Publications**

**Wilson, S.M.** G.A. Neudecker, and J.J. Jonkel. 2013. Human-Grizzly Bear Coexistence in the Blackfoot River Watershed, Montana: Getting Ahead of the Conflict Curve. *In*: S. Clark and M. Rutherford (eds), *Large Carnivores, People and Governance: New Approaches in the North American West*. University of Chicago Press.

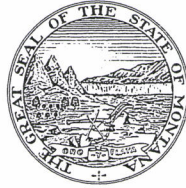
**Wilson, S.M.**, S.A. Primm, and A. Dood. 2007. Summary Report: Beyond Boundaries: Challenges and Opportunities for Grizzly Bear Management and Conservation in Montana. Montana Department of Fish, Wildlife and Parks. Helena, Montana. 29 pp.



- Wilson, S.M.**, and S.G. Clark. 2007. Resolving Human-Grizzly Bear Conflicts: An Integrated Approach in the Common Interest. Pgs. 137-163. *In*: S. Hanna and D. Scott Slocombe, editors. *Fostering Integration: Concepts and Practice in Resource and Environmental Management*. Oxford University Press.
- Wilson, S.M.** 2007. Community Supported Conservation of Grizzly Bears on Private Agricultural Land: Final Close-Out Report for Conservation Innovation Grant. U.S. Department of Agriculture – Natural Resources Conservation Service, Portland, OR. 98 pp.
- Wilson, S.M.** 2007. The Power of Prototypes. Northern Rockies Conservation Cooperative 20<sup>th</sup> Anniversary Newsletter, Fall Issue.
- Wilson, S.M.**, J. A. Graham., D.J. Mattson, M.J. Madel. 2006. Landscape conditions predisposing grizzly bears to conflict on private agricultural lands in the western U.S.A. *Biological Conservation*. **130**:47-59.
- Wilson, S.M.**, M.J. Madel, D.J. Mattson, J.M. Graham., J.M. Belsky, J.A. Burchfield. 2005. Landscape features, attractants, and conflict hotspots: A spatial analysis of human-grizzly bear conflicts. *Ursus*. **16**(1):117-129
- Wilson, S.M.** 2005. Annual Progress Report: Bear proofing an agricultural landscape: working with private ranch landowners and residents to reduce conflicts and mortalities with grizzly bears in Montana. Report submitted and approved by the U.S. Fish and Wildlife Service, Denver, Colorado.
- Primm, S. and **S.M. Wilson**. 2004. Re-connecting grizzly bear populations: Prospects for participatory projects. *Ursus*. **15**(1):104-114.

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2013-2015 Interim Appointments

*Boards, Councils and Commissions*

**Board of Hail Insurance**  
**Gary Gollehon**

*Included: Statute for Appointment*

*Biographies, Resumes or other Application Materials for  
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# Montana Code Annotated 2014

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**2-15-3003. Board of hail insurance.** (1) There is a board of hail insurance of five members consisting of the state auditor, the director of agriculture, who is secretary of the board, and three other members to be appointed by the governor and confirmed by the senate.

(2) The governor shall designate one of the appointive members to act as presiding officer of the board.

(3) Whenever the term of any member expires, either by death, resignation, removal for cause, or expiration of the member's term of office, the governor shall appoint a successor and shall also appoint one of the board as presiding officer in case of a vacancy in that office.

(4) Each appointive member of the board must be appointed for 3 years, except when an appointment is made to fill a vacancy on the board, in which case the appointee shall fill out the unexpired term of the member whose place the appointee fills.

(5) All members of the board are subject to removal for cause by the governor.

(6) The board is allocated to the department of agriculture for administrative purposes only as provided in 2-15-121. The department may charge the board for services provided by the department pursuant to 2-15-121. The costs charged by the department must be commensurate with the cost of the services provided.

**History:** (1) thru (5) En. Sec. 1, Ch. 169, L. 1917; amd. Sec. 1, Ch. 17, Ex. L. 1918; amd. Sec. 1, Ch. 141, L. 1921; re-en. Sec. 350, R.C.M. 1921; amd. Sec. 1, Ch. 40, L. 1923; re-en. Sec. 350, R.C.M. 1935; amd. Sec. 58, Ch. 391, L. 1973; amd. Sec. 140, Ch. 218, L. 1974; amd. Sec. 2, Ch. 468, L. 1977; Sec. 82-1501, R.C.M. 1947; (6) En. Sec. 1, Ch. 395, L. 1973; Sec. 82A-304.1, R.C.M. 1947; R.C.M. 1947, 82-1501(part), 82A-304.1; amd. Sec. 23, Ch. 184, L. 1979; amd. Sec. 3, Ch. 691, L. 1983; amd. Sec. 91, Ch. 61, L. 2007.

*Provided by Montana Legislative Services*



I was born in December of 1945 at Great Falls, Montana. I have lived east of Brady, Montana, in the Northwest corner of Chouteau County, all of my life. I was born and raised two miles from where we currently live. I am the 4th generation, on my Mother's side, to live on a farm in the area. Our daughter, son-in-law and two boys are the 5th and 6th generations to live here and they live on my great grandparent's homestead, which is located 1 1/2 miles south of us. I have been married to my wife, Becky, for 45 plus years and we have two daughters; one married and living in Great Falls and the other living to the south of us. Becky and I have 5 grandchildren; a Senior grandson; a Junior grandson, a Sophomore granddaughter, an eighth grade granddaughter, and an eighth grade grandson. We are fortunate that all our grandchildren live within 50 miles of us.

In my lifetime, I have served on the local Country School Board, the Community Well Board, The Montana State Hail Board, The Tiber County Water Board, The Golden West Lutheran Church Board, The Chouteau County Planning Board, A local Co-op Elevator Board and ran unsuccessfully for the House in Chouteau County.

I attended Country Schools for the first eight years of my education and graduated from Brady High School in 1963. I attended Montana State University for 1 1/2 years and returned to our family farm and began farming on my own in 1965. Our farm is a dry-land farm and the primary crops are wheat and barley. Over the years, farming practices have changed immensely from summerfallow to no-till and as these changes occurred the labor intensity has also changed. I feel that Agriculture is an important and key factor in the well-being of our State and local economy and Agencies such as the Montana State Hail Board are an important part of Agriculture and its' continuance in our great State of Montana.

I have enjoyed serving, under Governor Schweitzer, on the State Hail Board in the past and am hoping to continue doing so in the future. I have to commend the employees of the State Hail Board for their excellent work, striving to serve Agriculture in the State to the best of their abilities. I also enjoy meeting farmers, from all parts of the State, who are involved in our hail programs. The upcoming year will prove to be an interesting year with discussions on increased coverage, as our 2013 Legislature, an issue that is critical to the existence of the Family Farms in Montana.

Thank you very much for considering me for a position on the State Hail Board.

Gary Gollehon  
903 Hells Gulch Road  
Brady, Montana 59416

406-627-2419  
406-289-0147